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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,537	11/30/2001	Huy P. Nguyen	PALM-3777	9991

7590 01/29/2003

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

ANYASO, UCHENDU O

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 01/29/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,537

Applicant(s)

NGUYEN ET AL.

Examiner

Uchendu O Anyaso

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 1-35** are pending in this action.

Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-35** are rejected under 35 U.S.C. 102(b) as being anticipated by *Gray* (U.S. Patent 5,440,629).

Regarding **independent claim 1**, and for **claim 7, 16**, *Gray* teaches portable telephone handset that is useable in connection with wireless communication comprising a display 14, a first keypad slider 48 and a second keypad slider 50 in the forms of end enclosures (48, 50) (column 5, lines 17-21, figure 2, 4 at 14; column 1, lines 5-23; column 5, lines 47-51, figure 2 at 48, 50).

Regarding **independent claims 17, 23**, and for **claims 18, 19, 21, 22, 35**, *Gray* teaches how the end closure housing (48, 50) would include a microphone (column 5, lines 47-55).

Furthermore, *Gray* teaches keypad controls which are present in the telephone handset construction (column 5, lines 24-25) wherein voice recognition would be incorporated into the system (column 8, lines 29-35, figure 11 at 152, 160, 162).

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Also, Gray teaches a wireless telephone communication device (column 3, lines 9-17). It is inherent that such a system would include a wireless transmitter and wireless receiver in order to accomplish a wireless communication.

Furthermore, Gray teaches how the handheld device would incorporate a speaker (column 3, lines 1-8) wherein the end closure housing (48, 50) would include a microphone (column 5, lines 47-55).

Furthermore, Gray teaches portable telephone handset that is useable in connection with wireless communication comprising a display 14.

Regarding **claim 2, 28**, in further discussion of claims 1, 23, Gray teaches a first keypad slider 48 and a second keypad slider 50 in the form of end enclosures that are adaptable to fully cover the display surface 14 (column 5, lines 47-51, figure 2 at 48, 50).

Regarding **claims 3 and 4, 24, 25**, in further discussion of claims 1, 23, Gray teaches how the first keypad slider 48 and the second keypad slider 50 have a plurality of openings (52, 54) (see figure 2 at 48, 50, 52, 54).

Regarding **claims 5, 15, 26**, in further discussion of claims 1, 23, Gray teaches keypad controls which are present in the telephone handset construction (column 5, lines 24-25).

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Regarding **claims 6, 27**, in further discussion of claims 1, 23, Gray teaches how the pivot arms (28, 30) of the keypad slider are composed of a flexible material such as any one of a number of suitable polymers and are capable of flexing inwardly (column 6, lines 12-29, figures 4-7 at 28, 30).

Regarding **claims 8, 20, 29**, in further discussion of claims 1, 20, 23, Gray teaches a detent mechanism for enabling repeatable and stable extension of the handheld device (column 6, lines 42-61, figure 4).

Regarding **claims 9, 30**, in further discussion of claims 1, 23, Gray teaches how the end closure housing (48, 50) would include a microphone (column 5, lines 47-55).

Regarding **claim 10**, in further discussion of claim 9, Gray teaches how voice recognition would be incorporated into the system (column 8, lines 29-35, figure 11 at 152, 160, 162).

Regarding **claims 11, 31**, in further discussion of claims 1, 23, Gray teaches how the handheld device would incorporate a speaker (column 3, lines 1-8).

Regarding **claims 12, 32** in further discussion of claim 11, 31, Gray teaches how the end closure housing (48, 50) would include a microphone (column 5, lines 47-55).

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Regarding **claims 13, 14, 33, 34**, in further discussion of claim 1, 23, Gray teaches a wireless telephone communication device (column 3, lines 9-17). It is inherent that such a system would include a wireless transmitter and wireless receiver in order to accomplish the wireless transmission.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,109,539 to *Inubushi et al* for a portable communication device.

U.S. Patent 5,719,936 to *Hillenmayer* for a communication device for mobile operation having a telephone and notebook with display.

U.S. Patent 6,262,716 to *Raasch* for an information processing apparatus having a numeric keypad with cover that functions as a palm rest.

U.S. Patent 6,064,734 to *Hasegawa* for a telephone with sliding keypad.

U.S. Design Patent 326,451 to *Roegner* for a telephone.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703) 306-5934. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Technology Center 2600 Customer Service Office
whose telephone number is (703) 306-0377.



Uchendu O. Anyaso

1/26/2003



STEVEN SARAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600